

21

IN THE  
CIRCUIT COURT OF THE STATE OF OREGON FOR MULTNOMAH COUNTY

TERRY L. BEARD, dba TheBigDay.com,  
and THE BIG DAY LLC, an Oregon limited  
liability company

Plaintiff/Petitioner

vs.  
PAYPAL, INC., a Delaware corporation

Defendant/Respondent

Hearing Date:

CAUSE NO:  
0910-14260

AFFIDAVIT OF SERVICE OF:  
Summons and Complaint

FILED  
2009 OCT 15 PM 4:41  
CIRCUIT COURT  
OF MULTNOMAH COUNTY

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a resident of the state of service, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the 12th day of October, 2009, at 3:29 PM, at the address of National Registered Agents, 3533 FAIRVIEW INDUSTRIAL Drive SE, SALEM, Marion County, OR 97302; this affiant served the above described documents upon PAYPAL, INC. c/o NATIONAL REGISTERED AGENTS, INC., by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with Debbie Brouse, Client Service Rep., A white female approx. 35-40 years of age 5'6"-5'8" in height weighing 140-160 lbs with brown hair.

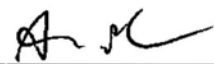
No information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this 13th day of October, 2009.

  
Brian Ivy, Multnomah, OR

ENTERED  
OCT 19 2009  
IN REGISTER BY EG  
Service Fee Total: \$80.00

SUBSCRIBED AND SWORN to before me this 13th day of October, 2009

  
NOTARY PUBLIC in and for the State of Oregon

Residing at: \_\_\_\_\_

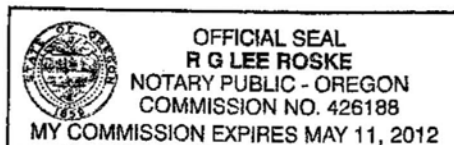
My Commission Expires: \_\_\_\_\_



FOR: Tonkon Torp, LLC  
REF: 31968-4 TLP 221128

ORIGINAL PROOF OF  
SERVICE

Tracking #: 6051000 PDX



CIRCUIT COURT OF OREGON

COUNTY OF MULTNOMAH

TERRY L. BEARD, dba TheBigDay.com, and THE )  
BIG DAY LLC, an Oregon limited liability )  
company,, )

Plaintiffs, )

v. )

PAYPAL, INC., a Delaware corporation, )  
Defendant. )

Case No. 0910-14260

**SUMMONS**

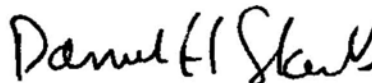
**TO: PAYPAL, INC.  
C/O NATIONAL REGISTERED AGENTS, INC.  
3533 FAIRVIEW INDUSTRIAL DR SE  
SALEM, OR 97302**

You are hereby required to appear and defend the complaint filed against you in the above-entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS  
CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service on the plaintiff.

If you have questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.



Signature of Attorney for Plaintiff

Daniel H. Skeritt, OSB No. 681519  
Direct Telephone: 503.802.2024  
Direct Facsimile: 503.972.3724  
E-mail: dan.skeritt@tonkon.com  
Tonkon Torp LLP  
1600 Pioneer Tower  
888 S.W. Fifth Avenue  
Portland, OR 97204

Attorneys for Plaintiffs Terry L. Beard and The  
Big Day LLC

**TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS:** You are hereby directed to serve true copies of the summons, together with true copies of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the attached proof of service form or upon a separate similar document which you shall attach hereto.

\_\_\_\_\_  
Attorney of Record for Plaintiff

## CERTIFICATE OF SERVICE

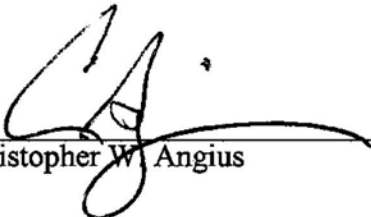
I hereby certify that I served the foregoing NOTICE OF REMOVAL on the following person:

Daniel H. Skerritt  
Tonkon Torp, LLP  
1600 Pioneer Tower, 888 SW Fifth Avenue  
Portland, Oregon 97204  
Attorney for Plaintiffs

by the following indicated method or methods:

- ☐ by CM/ECF electronically mailed notice from the Court on the date set forth below.
- ☐ by mailing full, true and correct copies thereof in sealed, first class postage prepaid envelopes, addressed to the parties and/or their attorneys as shown above, the last-known office addresses of the parties and/or attorneys, and deposited with the United States Postal Service at Portland, Oregon, on the date set forth below.
- ☒ by causing full, true, and correct copies thereof to be hand-delivered to the parties and/or their attorneys at their last-known office addresses listed above on the date set forth below.
- ☐ by sending full, true, and correct copies thereof, via overnight courier in sealed, prepaid envelopes, addressed to the parties and/or their attorneys as shown above, the last-known office addresses of the attorneys, on the date set forth below.
- ☐ by faxing full, true, and correct copies thereof to the fax machines which are the last-known fax numbers for the parties' and/or attorneys' offices, on the date set forth below.

DATED this 12<sup>th</sup> day of November, 2009.

  
\_\_\_\_\_  
Christopher W. Angius

# 8962162\_v1